

FILED

MAR 28 2016

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY [Signature]

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

MARY B. RODRIGUEZ

Plaintiff,

V.

JPMORGAN CHASE BANK, N.A.,

Defendant.

www.wiley.com

CIVIL ACTION NO. 5:14-cv-00912

JURY TRIAL DEMANDED

OBJECTION TO CHASE FCRA SETTLEMENT AND JOINDER

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Comes now, Mary B. Rodriguez, aka Mary Ann Blume, Claim#: JPD-11655479401-1653287, Plaintiff Pro Per herein, through invitation of Chase FCRA Settlement, who files this Objection to Chase FCRA Settlement and would respectfully show the Court the following:

PREJUDICE AND DISCRIMINATORY ACTS AND PRACTICES

1. Chase FCRA Settlement proposal is a “forced” settlement. It is apparent the “Criminal Acts” of banks that have placed people and families lose their homes and banks to foreclose on them by manufacturing bad loans with the intention of harm and greed. Chase FCRA Settlement continues their criminal acts and JP Morgan Chase needs to be held accountable. Eva Marisol Duncan can settle for pennies for her dollars, but this should be her choice and her choice only. Chase FCRA Settlement is placing a one size fits all solution using Eva Marisol Duncan’s settlement as a forced settlement by JP Morgan Chase Bank. JP Morgan Chase Bank has done wrong and continues to the same process, rather than correcting their harmful, greedy, intentional bad loans, which affect people as of today. For the Courts to allow

this behavior is poor form, creates no restitution and JP Morgan has used the Courts as a tool to fix their illegal and criminal acts with prejudice and discriminatory acts and practices.

2. The practice to simply send notification with a postcard that states “By submitting this Claim, I am requesting a Settlement Fund Payment” with no other alternative is again criminal. It is criminal act upon criminal act that JP Morgan Chase thinks if they wear down; create fear and anxiety, bully people with and using the Courts to work “In-Concert”, and the Courts not to give people access to the Courts (**Exhibit 1#**) that people they have wronged that they will settle. There is no other postcard with the option to “Object” to the Settlement Offer (**Exhibit 2#**). JP Morgan Chase should not be settling, but give full restitution and additional payment for Cruel and Unusual Punishment, the 8th Amendment.

3. If people “Object” according to the information given on the postcard and website, they must hire an attorney. This is a prejudice act and discriminates against the poor, uneducated disabled, etc. “The People” do not even have access to the Courts (**Exhibit 1 & 3#**). JP Morgan Chase banks on **JURIS IGNORANTIA EST COM NOSTRUM IGNORAMUS**: *Ignorance of the law when “we” The People...are unfamiliar with “our” own Rights.* JP Morgan Chase Bank (along with other banks) evidently has been found and has performed “Predatory Loans”, “Robo-Foreclosures” and even a movie The Big Short documents the incredible disgusting greed and “Criminal Acts” of JP Morgan Chase Bank. This Court is discussing the “big elephant” in the Courtroom as they are working “In-Concert” to create a sad scenario of a settlement, which is being forced upon us because the postcard gives us no alternative, but to settle. This is not Justice. It is another criminal act upon another using the Courts.

REQUESTING JOINDER TO PURSUE COURT CASE AGAINST JP MORGAN CHASE

4. Mary Ann Blume, aka Mary B. Rodriguez has filed several court cases against JP Morgan Chase Bank (**Exhibit 3#**). Court Case **30-2012-00566104#** was filed in Superior Court and **G049689#** was filed in Appellate Court. Plaintiff does not have access to the Courts. Court Documents are refused by Court Clerks. If Plaintiff can get them filed with a Court Stamp, the Court Stamped Documents are missing or destroyed (Demurrers). Even as Plaintiff is fighting to keep her home, JP Morgan has already given her home to Destry E. Roscoe and Frank D. Rodriguez (**Exhibit 4#**) by 01/04/2013. Frank D. Rodriguez, Plaintiff's former husband, has already Quit Claim by Court Order the home to Mary Ann Blume on 07/06/2010 (**Exhibit 5#**). *Why is Plaintiff going through the Courts if JP Morgan Chase Bank already given Plaintiff's home to her former husband, who already signed an Interspousal Grant Deed? JP Morgan Chase Bank cannot give a home to Plaintiff it has already given away? Can the Courts explain this?* This is even more reason JP Morgan Chase has to win because they have worked "In-Concert" with Plaintiff's Divorce Court Case **08D003897#**.

5. In Court Case **30-2012-00566104#**, the Courts and JP Morgan Chase Bank tried to force Plaintiff to "amend" the lost or destroyed Demurrers. Plaintiff refuses to amend because it "resets" time constraints allowing JP Morgan Chase Bank and the Courts to continue even if "Criminal Acts" are performed. It is the "Amend Scam", which violates Plaintiff's/Appellant's 5th, 14th (Due Process) and 8th (Cruel and Unusual) Amendment Rights.

REQUESTING DECLARATORY JUDGMENT IN FAVOR OF PLAINTIFF BLUME et.a

6. In **Exhibit 3#**, Judge Rodriguez could not continue the Court Case **30-2012-00566104#** legally, because Plaintiff refused to amend Demurrers or any court document. Plaintiff requested a Motion for Mistrial and Mary Ann Blume's home, the residence 2849 W. Rome Avenue, Anaheim, CA 92804 be placed in her name paid in full and grant \$150,000.00 for each Plaintiff, Mary Ann Blume, Jade Rodriguez and Jordan Rodriguez. Judge Rodriguez rejected the Motion for Mistrial as stated in **Exhibit 6#** and also states *"No trial was held; case was dismissed 8/15/2013."* **How can the Superior Court of California refuse access to the Courts to be heard?**

PLAINTIFF IS POOR AND CANNOT AFFORD TO FILE ELECTRONIC E-FILE

7. Mary Ann Blume cannot afford to file Court Document by Electronic E-File. Mary Ann Blume is sending a Fee-Waiver Form. Mary Ann Blume is requesting that the Courts accept her Courts document via U.S. mail.

REQUESTING A FILER'S BILL OF RIGHTS

8. **A Filer's Bill of Rights:** with a checklist, a copy of both parties State and Federal taxes would automatically come to the courts, DCSS, Plaintiff and Respondent in Divorce Court. Women and Children would not be discriminated and forced to live in poverty. Children would not be neglected, emotionally and financially abused and abandoned by the Courts of California. A Filer's Bill of Rights with a checklist would inform what forms need to be filed, what is the next procedure and assistance as Plaintiffs and Respondents may need. This stops Court Clerks

and Officers of the Courts assisting Pro Per Litigants illegally and giving the wrong information to help steer a Verdict in bribed or predetermined decision. A Filer's Bill of Rights would get rid of Court forms such as "Declarations" and make all forms into a "Motion" or an "Order to Show Cause". Court Case will be heard, never dropped and aligned with FRCP Rule § 8. General Rules of Pleading:

(a) Claim for Relief. A pleading that states a claim for relief must contain:

(1) a short and plain statement of the grounds for the court's jurisdiction.

(2) a short and plain statement of the claim showing that the pleader is entitled to relief; and

a demand for the relief sought, which may include relief in the alternative or different types of relief.

9. All issues, concerns and questions must be addressed in writing supported by law. There will be no more free rides for these Judges that discriminate against the poor, disabled, colored, uneducated, sex discrimination, child abuse and neglect and JURIS IGNORANTIA EST COM NOSTRUM IGNORAMUS: Ignorance of the law when "we" The People...are unfamiliar with "our" own Rights". If any Criminal Acts are proven at any time prior, during or after proceedings, the Presiding Judge would have to take the court case and if a Plaintiff requests the same thing, such as never full disclosure because Respondent and his attorney, Linda Ross failed to comply with Family Code Section 3665 and file a copy of his tax returns (Exhibit 4#, page 6, 3rd paragraph under Income of the parties, lines 7 to 9), it will go directly to Federal Court, the Bar Association and Sanctions upon each and every Court Officers. All Final Decision will be "enforced immediately" with the assistance of the Courts. People in Pro Per and Pro Se need A Filer's Bill of Rights to restore Justice and People's Trust in our Judicial System. People in Pro Per and Pro Se sit in Courts for years, file multiple court trials because they are not heard and made Vexatious Litigants because the Courts or California are used to "bribes" and "Judicial Theft". When a Judgment is made, the Court have a responsibility to make sure every part of the Judgment is performed. Judges after making a Judgment will have to declare a Court Date to

make sure Judicial Retaliation is performed using the 8th Amendment Cruel and Unusual Punishment.

ACTION of RELIEF: REQUESTING ANSWERS TO ALL QUESTIONS IN WRITING:

10. A Filer's Bill of Rights: with a checklist, a copy of both parties State and Federal taxes would automatically come to the courts, DCSS, Plaintiff and Respondent in Divorce Court. Women and Children would not be discriminated and forced to live in poverty. Children would not be neglected, emotionally and financially abused and abandoned by the Courts of California. A Filer's Bill of Rights with a checklist would inform what forms need to be filed, what is the next procedure and assistance as Plaintiffs and Respondents may need. This stops Court Clerks and Officers of the Courts assisting Pro Per Litigants illegally and giving the wrong information to help steer a Verdict in bribed or predetermined decision. A Filer's Bill of Rights would get rid of Court forms such as "Declarations" and make all forms into a "Motion" or an "Order to Show Cause". Court Case will be heard, never dropped and aligned with FRCP Rule § 8. General Rules of Pleading:

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- (1) a short and plain statement of the grounds for the court's jurisdiction.
- (2) a short and plain statement of the claim showing that the pleader is entitled to relief; and a demand for the relief sought, which may include relief in the alternative or different types of relief.

10. All issues, concerns and questions must be addressed in writing supported by law. There will be no more free rides for these Judges that discriminate against the poor, disabled, colored, uneducated, sex discrimination, child abuse and neglect and JURIS IGNORANTIA EST COM NOSTRUM IGNORAMUS: Ignorance of the law when "we" The People...are unfamiliar with "our" own Rights". If any Criminal Acts are proven at any time prior, during or after proceedings, the Presiding Judge would have to take the court case and if a Plaintiff requests the same thing, such as never full disclosure because Respondent and his attorney, Linda Ross failed to comply with Family Code Section 3665 and file a copy of his tax returns (Exhibit 4#, page 6, 3rd paragraph

under Income of the parties, lines 7 to 9), it will go directly to Federal Court, the Bar Association and Sanctions upon each and every Court Officers. All Final Decision will be “enforced immediately” with the assistance of the Courts. People in Pro Per and Pro Se need A Filer’s Bill of Rights to restore Justice and People’s Trust in our Judicial System. People in Pro Per and Pro Se sit in Courts for years, file multiple court trials because they are not heard and made Vexatious Litigants because the Courts or California are used to “bribes” and “Judicial Theft”. When a Judgment is made, the Court have a responsibility to make sure every part of the Judgment is performed. Judges after making a Judgment will have to declare a Court Date to make sure Judicial Retaliation is performed using the 8th Amendment Cruel and Unusual Punishment.

11. Requesting a Declaratory Judgment in Favor of Plaintiff Mary Ann Blume et.al.

Mary Ann Blume’s home, the residence 2849 W. Rome Avenue, Anaheim, CA 92804 be placed in her name paid in full and grant \$150,000.00 for each Plaintiff, Mary Ann Blume, Jade Rodriguez and Jordan Rodriguez.

Exhibit List

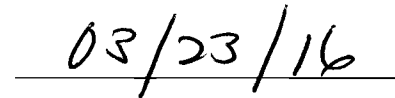
- | | | |
|-----------------------|---|-----------|
| 1. Exhibit 1#: | Letter dated 03/14/2016 from US Department of Justice
Civil Right Division, Office for Access to Justice. | 9 pages |
| 2. Exhibit 2#: | Copy of Chase FCRA Settlement with Return Postcard. | 1 page |
| 3. Exhibit 3#: | Court Document dated June 4, 2014 “In the Courts of
Appeal the State of California, Fourth Appellate
District, Division 3. | 134 pages |
| 4. Exhibit 4#: | Notice to Filing Party from Superior Court of California
Orange. Motion for Mistrial Rejected. No Trial. Dismissed.
Dated 12/19/2013. | 1 page |
| 5. Exhibit 5#: | Independent Foreclosure Review dated 01/04/2013. | 1 page |
| 6. Exhibit 6#: | Interspousal Grant Deed dated 07/06/2010 | 2 pages |

- 5. **Exhibit 5#:** Independent Foreclosure Review dated 01/04/2013. 1 page
- 6. **Exhibit 6#:** Interspousal Grant Deed dated 07/06/2010 2 pages

I declare under Penalty of Perjury under the laws of the State of California and Texas that the above is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Mary Ann Blume", written over a horizontal line.

Mary Ann Blume

A handwritten date "03/23/16" in black ink, written over a horizontal line.

Date

STATE OF CALIFORNIA, COUNTY OF Orange

I have read the foregoing Objection to Chase FCRA Settlement and Joinder 10 pages plus 6 Exhibits and know its contents.
and fee waiver 2 pages

CHECK APPLICABLE PARAGRAPH

☐ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☒ I am ☐ an Officer ☐ a partner ☒ a neutral party of Mary Ann Blume, a party to this action, and am authorized to make

this verification for and on its behalf, and I make this verification for that reason. ☐ I am informed and believe and on that ground

allege that the matters stated in the foregoing document are true. ☐ The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am one of the attorneys for _____, a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on _____, 20____, at _____, California. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. to the best of my knowledge

James Blume
Type or print name

James Blume
Signature

PROOF OF SERVICE C.G.P. 1013, a(3)

STATE OF CALIFORNIA, COUNTY OF Orange

I am employed in the county of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 9651 Graham St. #79, Cypress CA 90630

On March 23, 2016, I served the foregoing document described as Objection to Chase FCRA Settlement and Joinder (10 pages) on 03/23/16 in this action by mail plus 6 Exhibits and fee waiver (2 pages)

☐ placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list (please attach list).

☒ placing ☒ the original ☐ a true copy thereof enclosed in sealed ^{Box}envelopes addressed as follows (ENTER ALL ADDRESSES):

Texas Western District Court Main Office
655 John H Wood Jr. San Antonio

☒ IF BY MAIL US Courthouse San Antonio, TX
655 East Durango Blvd Orange County 78206

☒ I deposited such ^{Box}envelope(s) in the mail at _____, California. Each envelope was mailed with postage thereon fully prepaid.

☐ Or as follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at _____, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit. Executed on _____, 20____, at _____, California.

☐ IF BY PERSONAL SERVICE: I delivered such envelope(s) by hand to the offices of the addressee(s).
Executed on _____, 20____, at _____, California.

☒ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

James Blume

James Blume
Signature

9/10
pages

VERIFICATION (C.G.P. 446 & 2015)
2015.5STATE OF CALIFORNIA, COUNTY OF OrangeI have read the foregoing Objection to Chase FCRA Settlement and Joinder 10 pages plus 6 Exhibits and know its contents.

CHECK APPLICABLE PARAGRAPH

☐ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to these matters which are stated on information and belief, and as to those matters I believe them to be true.☒ I am ☐ an Officer ☐ a partner ☒ a neutral party of Mary Ann Blume, a party to this action, and am authorized to makethis verification for and on its behalf, and I make this verification for that reason. ☐ I am informed and believe and on that groundallege that the matters stated in the foregoing document are true. ☐ The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.☐ I am one of the attorneys for _____, a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.Executed on _____, 20____, at _____, California. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. to the best of my knowledgeJames Blume

Type or print name

James Blume

Signature

PROOF OF SERVICE CCF 1013, a(3)

STATE OF CALIFORNIA, COUNTY OF OrangeI am employed in the county of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 9621 Graham St #79, Cypress CA 90630On March 23, 2016, I served the foregoing document described as Objection to Chase FCRA Settlement and Joinder (10 pages) on 03/23/16 in this action by mail plus 6 Exhibits☐ placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list (please attach list).☒ placing ☐ the original ☒ a true copy thereof enclosed in sealed ^{BOX} envelopes addressed as follows (ENTER ALL ADDRESSES):Chase FCRA SettlementPO BOX 43389Providence RI 02940-9576☒ IF BY MAIL☒ I deposited such ^{BOX} envelope(s) in the mail at Orange County, California. Each envelope was mailed with postage thereon fully prepaid.☐ Or as follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at _____, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit. Executed on _____, 20____, at _____, California.☐ IF BY PERSONAL SERVICE: I delivered such envelope(s) by hand to the offices of the addressee(s).

Executed on _____, 20____, at _____, California.

☒ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.James BlumeJames Blume10/10PAGES